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October 10, 2024

LETTER-MOTION (FILED ON ECF)

Honorable Robyn F. Tarnofsky
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 703
New York, NY 10007

**Re: *Parker v. Bursor*, 24-cv-245 (JGLC) (RFT)
Letter-Motion to File Transcript of October 1, 2024 Hearing (ECF Nos. 182-
183) Under Seal**

Dear Magistrate Judge Tarnofsky:

This Firm, along with Judd Burstein, P.C., represents Defendants Scott Bursor and Bursor & Fisher, P.A. (collectively, “Defendants”) in the above-referenced matter. We submit this letter-motion pursuant to paragraphs I(D) and III(E) of Your Honor’s Individual Practices in Civil Cases to request that the transcript of the pre-motion conference that was held on October 1, 2024 at 2:30 P.M. (the “October 1 Transcript”) be filed under seal, and that access to the October 1 Transcript be restricted to the parties (and their counsel), subject to reconsideration upon Judge Clarke’s decision on Defendants’ pending renewed motion to seal and to dismiss and strike the operative Complaint (Defendants’ “Motion to Seal and Dismiss”).

By way of background, on January 24, 2024, Your Honor issued a Corrected Report and Recommendation and Opinion and Order directing that if Plaintiff files her complaint before Judge Clarke issues an order addressing Defendants’ motion for a TRO and preliminary injunction to seal the anticipated complaint, that complaint shall be held under seal by the Clerk of the Court until Judge Clarke issues an order on the motion. *See* ECF No. 25. On March 22, 2024, pursuant to Your Honor’s January 24, 2024 Order, Plaintiff filed her Complaint under seal. *See* ECF No. 53-1 (sealed). Thereafter, Judge Clarke issued multiple orders directing that submissions referencing details of the Complaint should be filed under seal pending Judge Clarke’s decision on Defendants’ pending Motion to Seal and Dismiss the Complaint (and their Objections to the Report & Recommendation). (*See* ECF Nos. 64, 74, 77; *see also* ECF No. 95.)

On September 23, 2024, Defendants filed a letter-motion to compel non-party Robert J. Hantman to comply with a subpoena that was issued to him. (ECF No. 159.) On October 1, 2024 at 2:30 P.M., Your Honor held a telephonic hearing on this issue. (*See* ECF No. 182.) On October 3, 2024, the Court Reporter issued a notice to the parties that an official transcript of the October 1, 2024 conference was going to be filed on the docket, and the parties had seven (7) calendar days to file a Notice of Intent to Request Redaction. (ECF No. 183.)

GIBBONS P.C.

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In anticipation of the filing of the October 1 Transcript, and in light of Judge Clarke's orders temporarily sealing the Complaint pending her decision on Defendants' Motion to Seal and Dismiss the Complaint, Defendants respectfully request that the Court order that the October 1 Transcript be filed under seal temporarily, and that access to the transcript, via ECF or otherwise, be provided only to the parties and the non-party subpoena respondent Robert Hantman (and their respective counsel), subject to reconsideration upon Judge Clarke's decision on Defendants' pending Motion to Seal and Dismiss the Complaint.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Christine A. Amalfe

Christine A. Amalfe

cc: All counsel of record (via ECF)